

AMENDMENTS TO LB 1069

Introduced by Baker, 44

1           1. Strike original section 4 and all amendments thereto  
2 and insert the following new sections:

3           Section 1. Section 75-109.01, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5           75-109.01 Except as otherwise specifically provided by  
6 law, the Public Service Commission shall have jurisdiction, as  
7 prescribed, over the following subjects:

8           (1) Common carriers, generally, pursuant to sections  
9 75-101 to 75-158;

10          (2) Grain pursuant to the Grain Dealer Act and the Grain  
11 Warehouse Act and sections 89-1,104 to 89-1,108;

12          (3) Manufactured homes and recreational vehicles  
13 pursuant to the Uniform Standard Code for Manufactured Homes and  
14 Recreational Vehicles;

15          (4) Modular housing units pursuant to the Nebraska  
16 Uniform Standards for Modular Housing Units Act;

17          (5) Motor carrier registration and safety pursuant to  
18 sections 75-301 to 75-322, 75-369.03, 75-370, and 75-371; ~~75-383,~~  
19 ~~and 75-384;~~

20          (6) Pipeline carriers and rights-of-way pursuant to  
21 sections 57-1301 to 57-1307 and 75-501 to 75-503;

22          (7) Railroad carrier safety pursuant to sections 74-918,  
23 74-919, 74-1323, and 75-401 to 75-430;

1           (8) Telecommunications carriers pursuant to the  
2 Automatic Dialing-Announcing Devices Act, the Emergency Telephone  
3 Communications Systems Act, the Enhanced Wireless 911 Services  
4 Act, the Intrastate Pay-Per-Call Regulation Act, the Nebraska  
5 Telecommunications Regulation Act, the Nebraska Telecommunications  
6 Universal Service Fund Act, the Telecommunications Relay System  
7 Act, the Telephone Consumer Slamming Prevention Act, and sections  
8 86-574 to 86-580;

9           (9) Transmission lines and rights-of-way pursuant to  
10 sections 70-301 and 75-702 to 75-724;

11           (10) Water service pursuant to the Water Service  
12 Regulation Act; and

13           (11) Jurisdictional utilities governed by the State  
14 Natural Gas Regulation Act. If the provisions of Chapter 75  
15 are inconsistent with the provisions of the State Natural Gas  
16 Regulation Act, the provisions of the State Natural Gas Regulation  
17 Act control.

18           Sec. 4. Section 75-370, Reissue Revised Statutes of  
19 Nebraska, is amended to read:

20           75-370 Enforcement of sections 75-307 to 75-307.03, and  
21 75-309, ~~75-383~~, and 75-384 shall be carried out by the carrier  
22 enforcement division of the Nebraska State Patrol or the Nebraska  
23 State Patrol pursuant to the rules and regulations adopted and  
24 promulgated by the commission to enforce such sections. Any  
25 violation of such sections by any regulated motor carrier, motor  
26 carrier, or private carrier shall be referred to the commission for  
27 disposition under section 75-156, and the commission may take any

1 other action provided by section 75-133.

2           Sec. 5. Section 75-371, Reissue Revised Statutes of  
3 Nebraska, is amended to read:

4           75-371 Any person, private carrier, common carrier, or  
5 contract carrier which operates any motor vehicle in violation  
6 of section 75-307, 75-307.01, 75-307.02, or 75-307.03, ~~75-383,~~  
7 ~~or 75-384~~ or any rule, regulation, or order of the commission  
8 pertaining to any of such sections shall be guilty of a Class IV  
9 misdemeanor. Each day of such violation shall constitute a separate  
10 offense.

11           Sec. 6. Original sections 75-109.01, 75-302, 75-370, and  
12 75-371, Reissue Revised Statutes of Nebraska, are repealed.

13           Sec. 7. The following sections are outright repealed:  
14 Sections 75-383 and 75-384, Reissue Revised Statutes of Nebraska.

15           2. On page 2, line 14, strike "1" and insert "2".

16           3. Renumber the remaining sections accordingly.